



Emergency Planning & Community Right-to-Know Act of 1986 (EPCRA)

EPCRA [40 CFR 355] is a federal law, enforced by the federal Environmental Protection Agency, managed by the state emergency response commission (SERC) and local emergency planning committees (LEPC). EPCRA applies to storage and handling of hazardous materials (chemicals). EPCRA requires that facilities report storage of certain chemicals above a certain amount to the state and local authorities. This law is called both “EPCRA” and “SARA Title III”. In this fact sheet, it will be referred to as “EPCRA.”

EPCRA was passed in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. These concerns were triggered by the disaster in Bhopal, India, in which more than 2,000 people suffered death or serious injury from the accidental release of methyl isocyanate. To reduce the likelihood of such a disaster in the United States, Congress imposed requirements on both states and regulated facilities. EPCRA’s provisions help increase the public's knowledge and access to information on potentially toxic chemicals at individual facilities, their uses, and releases into the environment. The state and your community can use the information to better respond if there is a chemical accident at your facility, protecting both your workers and your neighbors.

For vehicle service facilities, there are three major sections of EPCRA that require reporting to state and local authorities:

1. Hazardous chemical storage reporting, or the “community right-to know” requirements (Sections 311-312)
2. Emergency planning (Sections 301-303)
3. Emergency release notification (Section 304)

This fact sheet provides a summary of EPCRA, and is designed to guide you to determine whether you might be required to comply. If EPCRA applies, or might apply, to your facility, you should request the “Connecticut Right-to-Know Compliance Guide” which lists the extremely hazardous substances and their reportable quantities, and includes the necessary reporting forms. The compliance guide is available by contacting the Connecticut State Emergency Response Commission (CT-SERC), 79 Elm Street, Hartford, CT 06106, and (860) 424-3373.

Reporting Hazardous Chemicals (EPCRA Section 311-312, or “Community Right-To-Know Requirements”)



EPCRA Section 311- List of Chemicals Form

The Occupational Safety and Health Administration (OSHA) requires employers to keep copies of Material Safety Data Sheets (MSDS) for each hazardous chemical available for employees. Distributors are required to provide MSDSs for hazardous substances [29 CFR 1910.1200].

You must complete a “Section 311-List of Chemicals” form if you have chemicals on site that are required under OSHA to have MSDSs, and you meet one of the following two conditions:

1. You store one or more substance listed as an “extremely hazardous substance (EHS)” in quantities equal to or greater than the listed “threshold planning quantity (TPQ)” or 500 lbs., whichever is less. The list of EHSs and their threshold planning quantities is available in the CT Right-to-Know Compliance Guide, in 40 CFR 355.30e(2)(1), and in the “Title III Consolidated List of Lists” on EPA’s website – <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/chemicalinfo.htm>, OR

2. You store 10,000 pounds or more of any hazardous substance requiring a MSDS.

Although the law states that you may submit copies of the MSDSs or a list of chemicals, Connecticut prefers the list of chemicals as provided in the form “Section 311-List of Chemicals”. You must send the completed form to the CT-SERC, 79 Elm Street, Hartford, CT 06106-5127, AND the LEPC (contact CT-SERC or local fire department for LEPC contact), AND your local fire department. You must file the “Section 311-List of Chemicals” form within 3 months of first having reportable quantities of hazardous chemicals at your facility, and it must be updated when new hazardous chemicals are stored in reportable quantities at your facility.

EPCRA Section 312 - Annual Tier II Reporting

If you are subject to the Section 311 reporting requirements described above, you must also submit an annual Tier II report which requires you to inventory your facility's hazardous chemicals and identify their storage locations. The Tier II report form “Tier II Emergency and Hazardous Chemical Inventory” is available in the CT Right-to-Know Compliance Guide or can be downloaded – see “Tier2 Submit” on the EPA website at <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/tier2.htm>.

You must submit a completed Tier II report to the CT-SERC, AND the LEPC, AND your local fire department each year by March 1. CT-SERC strongly encourages that you submit the report in electronic format. (*Note: The Tier II report is different than the State Fire Marshal’s form.*)

What are vehicle service facilities likely to report under the Section 311 and Tier II reporting requirements?

You must report storage of gasoline, diesel fuel, propane, ethylene glycol, kerosene or fuel oil (all of which require MSDSs) in excess of 10,000 pounds. Gasoline weighs roughly 6.19 pounds per gallon, diesel weighs roughly 7.05 pounds per gallon, and propane weighs roughly 4.23 pounds per gallon at 60 degrees Fahrenheit. *Note that this requirement does not apply to gasoline stations open to the public that store less than 75,000 gallons of gasoline and/or 100,000 gallons of diesel fuel in underground tanks.*

You must also report the sulfuric acid in lead acid and gel pack batteries in excess of 500 pounds. The average car battery contains approximately 5 pounds of sulfuric acid. You must also report the lead in lead acid batteries in excess of 10,000 pounds. The average car battery contains 18- 20 pounds of lead. *Note that this reporting requirement does not apply to batteries waiting to be sold. However, large or unusual batteries (e.g., truck-size or double batteries) are not exempted.*

Emergency Planning: Notification and Participation (EPCRA Sections 301-303)

If you store any of 356 listed “extremely hazardous substances (EHS)” in excess of the listed “threshold planning quantity (TPQ)”, you are required to complete a “Section 302-Emergency Planning Notification Form” and submit it to the CT-SERC, AND the LEPC within 60 days of when the substance becomes present at the facility. The list is available in the CT Right-to-Know Compliance Guide, in 40 CFR 355.30e(2)(1), and in the “Title III Consolidated List of Lists” on EPA’s website – <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/chemicalinfo.htm>.

If you are required to file a “Section 302/303 Substances and Facilities Covered and Notification” form, you must also under “Section 303 Comprehensive Emergency Response Plans” designate a facility emergency coordinator who will be the representative to the LEPC. The LEPC was formed under Section 301 and if you are reporting under Sections 302 and 303, you are automatically a member of the LEPC. (The form can be found in the CT Right-to-Know Compliance Guide.)

What are vehicle service facilities likely to report under the Section 302 reporting requirements?

You must also report the sulfuric acid in lead acid and gel pack batteries in excess of 1,000 pounds. The average car battery contains 5 pounds of sulfuric acid. This reporting requirement applies to batteries waiting to be sold, those stored for pickup under the Universal Waste Rule, some batteries in emergency generators or lighting, and those in vehicles owned or operated by the facility. *Note that this requirement does not apply to batteries in customers’ or workers’ vehicles.*

You must also report ammonia at your facility in excess of 500 pounds. Ammonia can be found in refrigeration systems and in some products such as water-based paints (acts as the catalyst), windshield wiper fluid, and floor strippers.

Emergency Release Notification (EPCRA Section 304)

You must immediately report an accidental release to the following three places:

- LEPC – Call 911;
- CT-SERC - Any spill of a chemical substance into Connecticut's waters must be reported to the CT-DEP. In Connecticut, an accidental release, or spill, of any chemical substance is reportable under CGS Section 22a-450 to the CT-DEP's Oil and Chemical Spill Response Division at (860) 424-3338 or (860) 424-3333; and
- National Response Center (NRC) at (800) 424-8802.

See the Spill Reporting Fact Sheet for more details on reporting requirements.

FOR MORE INFORMATION: Contact the Emergency Planning and Community Right-to-Know Information Hotline at (800) 424-9346, or (703) 412-9810, or TDD (800) 535-7672. Monday through Friday, 9:00 am to 6:00 pm, Eastern Time, **OR** contact the CT-State Emergency Response Commission, 79 Elm Street, Hartford, CT 06106-5127, (860) 424-3373.



Did You Know?

If you are unsure about whether to report chemical spill to the National Response Center, it is better to report than not. Not reporting can result in a costly error.

2004 Pit Stops Fact Sheets

Connecticut Department of Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127
Office of Pollution Prevention (860) 424-3297 www.dep.state.ct.us/wst/p2/vehicle/abindex.htm
Fact Sheet: DEP-P2-PITSTOPS-FS-022 Last Updated: August, 2004